

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

<b>IN RE:</b>  <b>JOSE A. CORTES CUEVAS DEBTOR(S)</b>	<b>CASE NUMBER: 10-09124 ESL</b>  <b>CHAPTER 13 ASSET CASE</b>
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**DEBTOR'S MOTION UNDER SECTION 1329 OF THE BANKRUPTCY CODE**

**THE HONORABLE COURT:**

**COMES NOW**, Debtor (s) through the undersigned attorney and respectfully ALLEGES and PRAYS:

1. That debtor (s) filed and circulated a MODIFIED PLAN to all parties in interest.

2. That the modification is based in that the Debtor (s) wants to amend their plan in order to:

**a. Debtor is amending chapter 13 plan to include RG Mortgage post-petition fees which he was unable to pay after the lifting of the stay and in order to comply with his duties as chapter 13 debtor.**

3. Debtor (s) amend plan call sixty (60) payments of \$300.00 for a total base of \$18,000.00 dollars with a provision for the payment to paid secured arrears to Banco Popular, account ending number-2106, secured arrears to RG Mortgage account ending number-3860 and full payment of Reliable, account ending number-0000.

4. Debtor (s) are still is interested in continuing with the bankruptcy procedures and proof if the amendment of the plan in order to comply with the disbursement schedules.

**WHEREFORE**, Debtor (s) respectfully request from this Honorable Court to accept this motion and grant debtor (s) the opportunity to modify the confirmed plan according to 11 US 1329

**NOTICE**

"Parties in interest are notified they have twenty one (21) days to reject a proposed modification of a plan and request a hearing. If no opposition is filed within the prescribed period of time, the Court will enter and order granting the motion upon the filing of a certificate of service by the movant that adequate notice was given. Should an opposition be timely filed. The Court will schedule the motion for a hearing as a contested matter. Absent good cause, untimely rejections shall be denied".

In San Juan, Puerto Rico, this 9<sup>th</sup>, day of September 2011.

**RESPECTFULLY SUBMITTED.**

**/s/ Marilyn Valdes Ortega**  
**MARILYN VALDES ORTEGA**

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United States Bankruptcy Court  
District of Puerto Rico

IN RE:

Case No. 10-09124-ESL

CORTES CUEVAS, JOSE A

Chapter 13

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED:

☒ AMENDED PLAN DATED: 9/09/2011

☐ PRE ☐ POST-CONFIRMATION

Filed by: ☒ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ 300.00 x 60 = \$ 18,000.00  
\$ x = \$  
\$ x = \$  
\$ x = \$  
\$ x = \$

TOTAL: \$ 18,000.00

Additional Payments:

\$ to be paid as a LUMP SUM  
within with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in  
addition to the above:

\$ x = \$

PROPOSED BASE: \$ 18,000.00

III. ATTORNEY'S FEES  
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee  
Disclosure Statement: \$ 2,900.00

Additional Fees 360.00  
Total 3260  
*[Signature]*

Signed: /s/ JOSE A CORTES CUEVAS  
Debtor

Joint Debtor

II. DISBURSEMENT SCHEDULE

- A. ADEQUATE PROTECTION PAYMENTS OR \$
- B. SECURED CLAIMS:  
☐ Debtor represents no secured claims.  
☒ Creditors having secured claims will retain their liens and shall be paid as follows:
1. ☒ Trustee pays secured ARREARS:  
Cr. BANCO POPULAR D Cr. RG MORTGAGE Cr. RG MORTGAGE  
# 2106 # 3860 # POST Petition  
\$ 1,407.12 \$ 205.12 \$ 400.00
  2. ☒ Trustee pays IN FULL Secured Claims:  
Cr. RELIABLE FINANCI Cr. Cr.  
# 0000 # #  
\$ 7,722.00 \$ \$
  3. ☐ Trustee pays VALUE OF COLLATERAL:  
Cr. Cr. Cr.  
# # #  
\$ \$ \$
  4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:  
BANCO POPULAR D RG MORTGAGE

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.  
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:  
☐ Paid 100% / ☐ Other:

Cr. Cr. Cr.  
# # #  
\$ \$ \$

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)  
See Continuation Sheet

Attorney for Debtor Marilyn Valdes Ortega Law Offices

Phone: (787) 758-4400

Debtor(s)

**CHAPTER 13 PAYMENT PLAN**

Continuation Sheet - Page 1 of 1

TRUSTEE TO PAY ATTORNEY'S FEES BEFORE ANY SECURED OR PRIORITY CREDITOR 11 USC 330.

FAILURE TO TIMELY OBJECT TO THIS PLAN CONSTITUTES A WAIVER OF THE EQUAL MONTHLY AMOUNT METHOD OF PAYMENT UNDER 11 USC 1325(a)(5).

TAX REFUNDS, IF ANY ARE RECEIVED BY DEBTOR, WILL BE TENDERED TO THE TRUSTEE AS A PERIODIC PAYMENT TO FUND THE PLAN UNTIL PLAN COMPLETION IN ADDITION TO PAYMENTS PROVIDED HEREIN. IF DEBTOR(S) NEED TO USE ANY PART OF THESE FUNDS, PROPER AUTHORIZATION WILL BE SOUGHT THE COURT FOR SUCH PURPOSE.

INSURANCE TO RELIABLE FINANCIAL THROUGH EASTERN AMERICA INSURANCE CO. AT THE END OF SALES CONTRACT IN THE APROXIMATE AMOUNT OF 500.00 DISBURSEMENT TO EASTERN AMERICA INSURANCE TO BEGIN AT END OF THE SALES CONTRACT ON OCTOBER 2013

ADEQUATE PROTECTION PAYMENT TO RELIABLE FINANCIAL UNTIL CONFIRMATION \$50.00 TO BE PAID BY TRUSTEE MONTHLY.

**I HEREBY CERTIFY:** That I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:

**10-09124-ESL13 Notice will be electronically mailed to:**

JOSE RAMON CARRION MORALES  
newecfmail@ch13-pr.com

MONSITA LECAROS ARRIBAS  
ustpreregion21.hr.ecf@usdoj.gov

MARILYN VALDES ORTEGA on behalf of Debtor  
valdeslaw@prtc.net

**I HEREBY CERTIFY:** That I have mailed by regular mail to all creditors listed.

**10-09124-ESL13 Notice will not be electronically mailed to:**

AEELA  
P.O. BOX 364508  
SAN JUAN, PR 00936-4508

BANCO POPULAR DE PR  
PO BOX 362708  
SAN JUAN, PR 00936

BANCO SANTANDER  
PO BOX 362589  
SAN JUAN, PR 00936-2589

CITI CARDS  
PO BOX 6276  
SIOUX FALLS, SD 57117

COOP A/C ARECIBO  
PO BOX 1056  
ARECIBO, PR 00613

DEPARTAMENTO DE HACIENDA  
PO BOX 9024140  
OFICINA 424 B  
SAN JUAN, PR 00902-4140

DEPARTAMENTO DEL TRABAJO  
AVE. MUÑOZ RIVERA 505  
HATO REY, PR 00918

DORAL BANK  
DEPTO. TARJETAS BANCARIAS  
PO BOX 71306  
SAN JUAN, PR 00936-8406

FEDERAL LITIGATION DEPT OF JUSTICE  
PO BOX 9020192  
SAN JUAN, PR 00902-0192

FIA CARD SERVICES  
PO BOX 15026  
WILMINGTON, DE 19850-5026

GE MONEY BANK  
PO BOX 960061  
ORLANDO, FL 32896-0004

JC PENNEY  
PO BOX 960090  
ORLANDO, FL 32896-0090

RELIABLE FINANCIAL SERVICES  
9615 AVE. LOS ROMEROS, SUITE 1100  
URB. MONTEHIEDRA  
SAN JUAN, PR 00926

RG MORTGAGE  
PO BOX 362394  
SAN JUAN, PR 00936-2394

SAM'S CLUB  
PO BOX 530942  
ATLANTA, GA 30353-0942

SEARS CREDIT CARDS  
P.O. BOX 183081  
COLUMBUS, OH 43218-3081

WESTERN UNION  
CITICORP CREDIT SERVICES  
12501 LAKEFRONT PL  
LOUISVILLE, KY 40299